

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.1789 of 2017
Date of decision:02.03.2017**

Sukhbir Singh

... Petitioner

Vs.

Financial Commissioner (Appeals-I), Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr.S.S.Sidhu, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the impugned orders dated 11.09.2012 (Annexure P-1), 01.11.2013 (Annexure P-2) and 04.02.2016 (Annexure P-3) passed by respondent No.3 – District Collector-cum-Deputy Commissioner, Fazilka; respondent No.2 – Commissioner and respondent No.1 - Financial Commissioner (Appeals-I), Punjab, respectively, whereby, in pursuance to the death of Parambir Singh, Lambardar of the village Rampura, Tehsil and District Fazilka, an application through proclamation was conducted and the petitioner, respondents No.4 and 5 along with one Surja Ram, has submitted the application.

The contention of petitioner is that respondent No.4 aged 21 years, though graduate but cannot be appointed as Lambardar of the village, vis-a-vis claim of the petitioner, who is 38 years old. The FIR registered against the petitioner under Sections 307, 148, 149, 323, 506 and 188 IPC

resulted into discharge as prosecutrix withdrew the matter, therefore, there was no stigma on the image of the petitioner. A student cannot be appointed as Lambardar of the village. Vis-a-vis the land holding, the petitioner owns 1 acre, whereas, respondent No.4 though has inherited 11.05 acres of land from his father Parminder Pal Singh and grandfather. Even his brother also remained Lambardar of the village. He further submits that the impugned order reflects that due weighage qua his brother being a Lambardar had been given which is not as per the amendment.

I have heard learned counsel for the petitioner and appraised the paper book.

The young people are more energetic and zeal to work for the betterment of the village and provide better facilities, who have more knowledge in the era of computerization. Every aspect of matter is now being taken care of through computerization. The land holding of the petitioner is not more than that of respondent No.4. Though the petitioner has been discharged but the fact remains that the condemner and character of the petitioner is also to be seen. The recommendation by the District Collector cannot be ignored.

I am of the view that the finding arrived at by the authorities in appointing respondent no.4 as Lambardar of the village is perfectly legal and justified.

No ground is made out for interference in the impugned orders.

Accordingly, the writ petition stands dismissed.

(AMIT RAWAL)
JUDGE

March 02, 2017
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No